

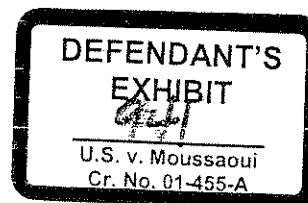
# **Exhibit 12**

SUBSTITUTION FOR THE TESTIMONY OF  
KHALID SHEIKH MOHAMMED

Khalid Sheikh Mohammed ("Sheikh Mohammed"), a.k.a. Mukhtar, was a high-ranking member of al Qaeda, who served as the "emir" or "mastermind" of the September 11, 2001, attacks. He was appointed to that role by Usama Bin Laden ("Bin Laden"). Sheikh Mohammed was intimately involved in the planning and execution of the September 11 attacks, as well as a central planner in al Qaeda's post-September 11 terrorist plots.

Sheikh Mohammed was captured in March 2003, and has been interrogated over the course of years on multiple occasions since his capture. None of the attorneys for either the prosecution or defense have been allowed access to Sheikh Mohammed, who is not available to testify either in person or by video for national security reasons. However, the lawyers have been given numerous written summaries of Sheikh Mohammed's oral statements made in response to extensive questioning.

Listed below are some of the statements Sheikh Mohammed made in response to questioning. You should assume that if Sheikh Mohammed were



available to testify in this courtroom under oath and subject to perjury he would have said what is contained in these statements.

Although you do not have the ability to see the witness's demeanor as he testifies, you must approach these statements with the understanding that they were made under circumstances designed to elicit truthful statements from the witness. In evaluating the truthfulness of these statements, you should consider all other evidence in this case, including all exhibits, regardless of which side may have produced the exhibit, and all other witness testimony including summarized statements of other enemy combatant witnesses, that tends to either corroborate or contradict the accuracy of this witness's statements. It is solely up to the jury to decide how much, if any, of any witness's testimony to credit.

**Sheikh Mohammed's Role in Al-Qaeda and in the 9/11 Operation**

1. Sheikh Mohammed described his role in the al Qaeda leadership. He said he was never a member of al Qaeda's Shura council. The highest position that he attained while in al Qaeda was Chief of External Operations, which was decreed in writing by Bin Laden four months before Sheikh Mohammed's arrest in March 2003.
2. In October 2000, Bin Laden appointed Sheikh Mohammed as head of all media operations for al Qaeda. He was also in charge of the 9/11 operation.

At that time, Muhammad Atif, aka Abu Hafs al-Masri, had overall responsibility for al Qaeda operations and was assisted by Sayf al-Adl.

**Zacarias Moussaoui's Involvement in the 9/11 Operation**

3. Sheikh Mohammed said that he intended for Moussaoui to participate in a follow-on attack in the U.S., unrelated to the 9/11 attacks.

4. KSM denied that Moussaoui ever had a 9/11 role, reiterating his previous statements that Moussaoui was intended for the second wave attacks.

Sheikh Mohammed explained that Moussaoui was preparing for a second wave attack which entailed the same steps as the September 11 hijackers: getting flight lessons, purchasing knives, etc.

5. Sheikh Mohammed said that he was not even aware of Moussaoui's arrest until after 9/11. Sheikh Mohammed did not worry about not hearing from Moussaoui in the weeks before the 9/11 operation because Moussaoui was supposed to be in flight school and was not supposed to be in contact with him or anyone until after graduating. Sheikh Mohammed said that Moussaoui did not know Atta and there was never any contact between the two of them. Sheikh Mohammed pointed out that the 9/11 operation proceeded on schedule after Moussaoui's arrest, noting that if Moussaoui

was part of the plot, there should have been some disruption or change in plans.

### Evolution of the 9/11 Operation

6. Sheikh Mohammed provided information on the evolution of his plot to hijack planes in the United States with suicide operatives. During 1994, he, Ramzi Yusif, Usama Asmurai aka Wali Khan and [A]bdul Hakim Murad worked on the Bojinka plot – the plan to explode in mid-air 12 U.S. commercial airline[r]s traveling either from or to U.S. destinations. This plot was disrupted in early 1995. Sheikh Mohammed traveled to Afghanistan in 1996 to convince Bin Laden to give him money and operatives so that he could hijack 10 planes in the U.S. to fly them into targets, with five targets on each coast of the United States. Bin Laden was not convinced of the practicality of the operation, but in either March or April 1999, Bin Laden changed his mind, and summoned Sheikh Mohammed to meet him in Qandahar, Afghanistan. Bin Laden told Sheikh Mohammed that he now thought the idea could work, and informed him that the operation now had al Qaeda's full support. Bin Laden immediately offered him four individuals as potential hijacker-suicide operatives: Walid Muhammad Salih Bin Atta[s]h [(a.k.a. "Khallad")]; Abu Bara al-Yamani,

Khalid al-Mihdhar [also spelled "Midhdar], and Nawaf al-Hazmi. After the proposed hijacking plot gained the approval of Bin Laden, Sheikh Mohammed and other senior al Qaeda members who were aware of the plot referred to it as the planes operation. Sheikh Mohammed estimated that it would take about two years to plan and execute.

7. Sheikh Mohammed said that he had to make his first major adjustment to his plan during the Spring and Summer of 1999 when he realized that [Walid] Bin Attash [(a.k.a. "Khallad")] and Abu Bara, who were both Yemenis, were unable to obtain U.S. visas. Sheikh Mohammed wanted these two operatives to be involved in the planes operation, as well as other Yemenis from Bin Laden's security detail, including al-Battar al-Yemeni. As a result, Sheikh Mohammed decided to split the planes operation into two parts to ensure that the Yemenis participated. The first part involved the United States. Sheikh Mohammed planned to send an as-yet undetermined number of operatives to the United States to hijack U.S.-flagged commercial airliners and crash them into targets within the United States. By mid-1999, al-Mihdhar and al-Hazmi, who already had U.S. visas, were already slated for that operation. The other part of the operation involved a smaller version of the Bojinka plot, and would involve

the Yemenis: operatives would hijack U.S.-flagged commercial airlines flying Pacific routes, and would explode them in mid-air instead of flying them into targets. By mid-1999, Bin Attash [(a.k.a. "Khallad")] and Abu Bara were slated for that portion of the planes operation . . . . In any case, the plan at this point was to have all planes in the United States and East Asia either explode or crash at roughly the same time, to maximize the psychological impact of the attack.

[I]n the spring of 2000 . . . Bin Laden cancelled the East Asia portion of the planes operation in April or May, claiming that it would be too difficult to synchronize the U.S. and East Asia portions of the operation.

8. For the September 11 operation, Sheikh Mohammed said that the initial plan called for crashing planes in southeast Asia at the same time as the attacks in New York and Washington, D.C. Saudis were primarily chosen for the attacks in the United States because they could easily travel there. Sheikh Mohammed wanted to use Yemeni operatives for the southeast Asia portion of the attacks because a person with a Yemeni passport could more easily travel to places like Hong Kong and Malaysia, allowing the Yemenis an opportunity for a martyrdom operation. Sheikh Mohammed said that, while he would have considered Yemenis for the attacks in the U.S., he noted that

Yemenis Walid Muhammad Salih Bin Attash aka "Khallad" and Bin al-Shibh tried to obtain U.S. visas but were denied. Sheikh Mohammed noted that Bin al-Shibh was living in Germany when he tried to obtain a U.S. Visa but was still denied.

9. Sheikh Mohammed dispatched Bin Attash [(a.k.a. "Khallad")] to southeast Asia in December 1999 to observe security measures on U.S. carrier's east Asian travel routes in preparation for this operation. When Bin Attash [(a.k.a. "Khallad")] returned, he reported that airline security officials had questioned and searched him thoroughly, but since Sheikh Mohammed was not planning to have operatives smuggle weapons on board the flight, he did not believe this scrutiny would pose a problem for the operation.
10. Sheikh Mohammed stated that in January 2000, the four operatives involved in the planes operation flew to Kuala Lumpur, Malaysia. Khallad, al-Hazmi, and Abu Bara flew from Karachi, whereas al-Mihdhar flew from Yemen and joined them there. Khallad's and Abu Bara's mission in East Asia was to ride a U.S.-flagged commercial airliner to gain familiarity with riding on U.S. planes . . . . Sheikh Mohammed stressed at this point in the planes operation, all four operatives only knew that they had volunteered for a martyrdom operation involving planes; al-Midhdar and al-Hazmi knew



that they would be involved in an operation somewhere in the United States, whereas Khallad and Abu Bara knew they would be involved in an operation somewhere in East Asia.

11. Sheikh Mohammed admitted that the four operatives were in contact with Hambali [a.k.a. "Riduan Bin Isomuddin"] during the visit to Kuala Lumpur, but only because Hambali as a rule had to be informed of the activities of al Qaeda operatives in Southeast Asia. Sheikh Mohammed claimed that he only began to consider recruiting JI operatives for inclusion in hijacking operations as part of his second wave hijacking attacks, to occur after the September 11 attacks. Sheikh Mohammed stated that he began to consider the use of JI operatives in either late 2000 or early 2001. [The parties stipulate that Hambali was the operational leader of a Southeast Asian terrorist organization known as the Jemaah Islamiya (JI) which has a goal of establishing a radical Islamic state in Southeast Asia. JI and al Qaeda coordinated some terrorist plans, including the training of JI members in al Qaeda's Afghanistan training camps.]
12. Sheikh Mohammed claimed that it was his idea that al-Mihdhar and al-Hazmi should reside in San Diego, CA, after arriving in Los Angeles, CA, on January 15, 2000. Sheikh Mohammed told al-Mihdhar and

al-Hazmi, both of whom barely spoke English, to enroll in an English-language course and then, once their English was satisfactory, to enroll in a flight school. San Diego, according to Sheikh Mohammed's research, had several English-language and flight schools. . . . Sheikh Mohammed claimed that there was no al Qaeda operative or facilitator in the United States to help al-Midhdar and al-Hazmi settle in the United States. Sheikh Mohammed also denied that al-Midhdar and al-Hazmi were engaged in casing activity while in San Diego, given that they barely knew how to function in U.S. society.

13. The next major change in the planes operation occurred in the spring of 2000 after Khallad and Abu Bara returned to Karachi. Bin Laden canceled the East Asia portion of the planes operation in April or May, claiming that it would be too difficult to synchronize the U.S. and East Asia portions of the operation. Khallad and Abu Bara remained under Sheikh Mohammed's operational control, and Khallad helped Sheikh Mohammed keep in contact with al-Hazmi in the U.S. via internet chat. Sheikh Mohammed also was in direct internet chat with al-Hazmi during 2000. After the bombing of the U.S.S. Cole in October 2000, Sheikh Mohammed transferred Khallad and Abu Bara to the control of al-Nashiri, the key operative in charge of the

U.S.S. Cole bombing, so that they could be involved in future plotting in the Persian Gulf Area.

14. According to Sheikh Mohammed, he was happy that Bin Laden assigned him to the 9/11 operation because he had proposed a similar operation to Bin Laden 4 years earlier in 1996, immediately after Bin Laden's arrival from Sudan to Tora Bora. Sheikh Mohammed thought the operation was easy. He suggest[ed] at the time that they send mujahidin to study in the flight institutes and use large planes, such as a Boeing 747-400 or larger, not small planes. Sheikh Mohammed did not like to depend on the military training that was given in Afghanistan because he considered it impractical. Sheikh Mohammed thought simplicity was the key to success. Sheikh Mohammed did not like using codes in routine messages or e-mails. He asked the operatives to be normal to the maximum extent possible in their dealings, to keep the tone of their letters educational, social, or commercial, and to keep the calls short. He gave Atta enough authority that he would not need to consult with them frequently, and would be the decision maker. Sheikh Mohammed forbade the operatives from contacting Pakistan for any reason. Furthermore, they removed all Pakistani stamps or visas from the passports. Atta had taken a training session in this and had mastered it.

Purpose of the 9/11 Attacks

15. Sheikh Mohammed said that the purpose of the attack on the Twin Towers was to “wake the American people up.” Sheikh Mohammed said that if the target would have been strictly military or government, the American people would not focus on the atrocities that America is committing by supporting Israel against the Palestinian people and America’s self-serving foreign policy that corrupts Arab governments and leads to further exploitation of the Arab/Muslim peoples.

Selection of Targets for the 9/11 Operation

16. In 1998, Bin Laden publicly declared war against the United States. It was at this time that Bin Laden raised Sheikh Mohammed’s idea with Muhammad Atif aka Abu Hafs al-Masri. Bin Laden requested a meeting with Sheikh Mohammed in Qandahar, Afghanistan, during which he specifically requested Sheikh Mohammed’s assistance in developing an operation designed to drive aircraft into targets. Sheikh Mohammed agreed to head up the operation, and at Bin Laden’s request, he moved his family to Qandahar and became a member of al Qaeda.
17. During Sheikh Mohammed’s first targeting meeting, Bin Laden discussed operational concepts with him in general terms. Sheikh Mohammed

believes that Abu Hafs was present during this meeting. Bin Laden expressed his desire to simultaneously hit the Pentagon, White House, and U.S. Capitol building, and had Nawaf al-Hazmi and Khalid al-Mihdhar in mind for the operation. He was hopeful that Sheikh Mohammed would be able to identify additional pilots from the Persian Gulf region based on his connections there. Sheikh Mohammed noted that at that point, Mohammad Atta's group had not yet been identified.

18. According to Sheikh Mohammed, when Atta was identified as an operative, Bin Laden held another meeting in Qandahar to discuss which targets would be hit. Bin Laden, Atta, Abu Hafs, and Sheikh Mohammed were all present. Sheikh Mohammed explained that, at that time, Hani Hanjour, the fourth pilot, had not yet been identified. The group, therefore, worked under the assumption that only three targets would be hit, and Bin Laden indicated that he wanted to hit a military, political, and economic target. Sheikh Mohammed had many targets in mind from his work in the early 1990s with Ramzi Yusif, and during the meeting, dozens of possible targets were discussed, including the World Trade Center, a nuclear reactor, the Empire State Building, a foreign embassy in Washington, D.C., and the headquarters of both the CIA and the FBI. While the group also believed a

location in the U.S. with a large Jewish population would be of interest, no specific targets there were discussed. Generally speaking, Sheikh Mohammed said that large buildings in the United States were considered to be especially vulnerable to attack and easy to hit.

19. Sheikh Mohammed said that before Sheikh Mohammed departed from Afghanistan, Bin Laden presented Sheikh Mohammed with a list of targets, which Sheikh Mohammed conveyed to Atta. Atta then compiled a list of preliminary targets. Bin Laden told Atta that Atta must hit both towers of the WTC, the Pentagon, and the U.S. Capitol, but that additional targets from which Atta could choose included the White House, the Sears Tower, and a foreign embassy in Washington. Following this conversation, Atta used a computer program to locate a nuclear power generating plant in Pennsylvania, which Bin Laden agreed to add to the list.
20. Sheikh Mohammed said that the plane that crashed into the field in Pennsylvania was targeted at the Capitol building (Congress and Senate). Sheikh Mohammed said that the CIA headquarters was not a target since it was Ramzi Yousef's operation and this target was compromised when Yousef was arrested.

21. Sheikh Mohammed said that New York was definitely the economic capital of the U.S. and, thus, was always the first target on his mind. After the 1993 attack on the World Trade Center, Sheikh Mohammed decided that explosives and bombs could be problematic so he focused on using airplanes as weapons. The most attractive targets were high buildings, both for their relative ease of targeting, as well as for the symbolic impact.
22. Sheikh Mohammed said that targets that were not included in the 9/11 attacks were to be carried forward to the next operation, and that the original plan called for Moussaoui to lead the next attack operation in the U.S. Sheikh Mohammed insisted that Moussaoui was not included in the list of potential pilots for Atta's attacks, and that the original list of potential targets was restricted to four or five even though Atta had a list of eight potential targets. Sheikh Mohammed provided other possible targets for al Qaeda operations.
23. Sheikh Mohammed asserted that the targets that were not included in the 9/11 attacks were to be carried forward to the next operation. Several targets were listed that were not attacked that included the White House, the U.S. Capitol, a foreign embassy, the Sears Tower, and a Nuclear Power Plant in Pennsylvania. Sheikh Mohammed also indicated that other U.S.

targets had been considered by al Qaeda to include an unidentified bridge in San Francisco or San Mateo, California.

**Deployment of Nawaf al-Hazmi and Khalid al-Mihdar to the U.S.**

24. September 11 hijackers Nawaf Al-[Hazmi] and Khalid al-Mihdar were selected by Bin Laden to participate in the operation. They had acquired U.S. visa[s] on their own accord in 1999 following the martyr death of their friend Hazam in the 1998 bombing of the U.S. Embassy in Nairobi, Kenya. They decided to obtain U.S. visas prior to traveling to Afghanistan to make themselves more attractive for any possible operation in the United States. Neither al-[Hazmi] or al-Mihdar were aware of the September 11 operation prior to getting the visas, nor were they directed by Bin Laden, Sheikh Mohammed, or any other al Qaeda operative to do so.
25. Sheikh Mohammed said that he gave al-Hazmi and al-Mihdhar approximately U.S. \$8,000 each for their travel to California. Sheikh Mohammed added that al-Hazmi and al-Mihdar got additional funds when they met with Atta. Sheikh Mohammed explained that he gave them the funds while they were in Afghanistan, and no money was transferred to them in Malaysia.



26. Sheikh Mohammed discussed the preparations to deploy 9/11 hijackers Nawaf al-Hazmi and Khalid Al-Mihdhar to the U.S. Before their deployment, the two were told that they were being sent to the U.S. for flight training. Sheikh Mohammed explained to them that the flight training was in preparation for their participation in a martyr operation in which aircraft would be flown into unspecified targets. The two were not provided with the specific targets of the operation. Sheikh Mohammed clarified that the exact targets had not yet been decided upon, and that, at the time of the duo's travel to the U.S., even Sheikh Mohammed did not know what the final targets of the operation would be.
27. Before sending Hazmi to the U.S., Sheikh Mohammed provided him with training in basic survival skills. Sheikh Mohammed's primary concern in using Hazmi for the 9/11 operation was that Hazmi's English was very weak; however, he stated that there was not much he could do in the matter, as Hazmi had a U.S. visa, which was relatively rare among the mujahidin. Sheikh Mohammed spent a significant amount of time reviewing with Hazmi the timetables of the U.S. airlines that were eventually used in the operation.

28. Sheikh Mohammed said that he sent Khalid al-Midhar and Nawaf al-Hazmi to San Diego because he intended to send those two to the West Coast of the U.S. from Asia. Sheikh Mohammed purchased San Diego yellow and white pages at a market in Karachi and he noted from those directories that San Diego had many local flight schools and English language schools. Those directories were also useful for locating commercial institutions, mosques, apartment complexes, and fellow Muslims to whom the hijackers might contact for help (for example, about where to rent an apartment or find halal restaurants or grocery stores).
29. Al-Midhar and al-Hazmi were poorly prepared for their entry into the U.S.. Al-Hazmi barely spoke English and al-Midhar spoke no English. Al Qaeda had no one in California to help the two.
30. Sheikh Mohammed stated that he did not know Mihdhar at that time, explaining that Mihdhar was chosen personally for the operation by Bin Laden. Sheikh Mohammed asserted that aptitude was not taken into account in selecting the potential 9/11 pilots. He explained that he and Bin Laden never considered whether any special skills or talents were needed to learn how to pilot an aircraft. They believed that learning to fly an airplane was much like learning to drive a car; it was easily accomplished with the

correct instruction. Like Hazmi, Mihdhar was chosen for the operation because he arrived in Afghanistan with a U.S. visa in his passport.

31. Sheikh Mohammed asked a great deal of al-Hazmi and al-Midhar, in whom he had only middling confidence, because of their lack of English and exposure to the West. The only reason they were involved in the 9/11 plot was because they had visas and because Bin Laden told Sheikh Mohammed that Bin Laden wanted the two to go on the operation. Because of their deficiencies, Sheikh Mohammed permitted al-Hazmi and al-Midhar, unlike the other 9/11 hijackers, to go to the local mosque to request assistance and advice on functioning in American society, and Sheikh Mohammed allowed the two, unlike the other hijackers, to contact him directly via internet chat in case they had urgent questions.
32. Sheikh Mohammed said that he decided that Hazmi and Mihdhar would spend the first few months of their time in California because it was their entry point into the U.S. It also had the added benefit that it was far from the region where, it was assumed, that the attacks would eventually take place.
33. Sheikh Mohammed instructed the two to spend time visiting museums and amusement parks in San Diego to help establish the appearance that they

were in the city partly for tourism. Sheikh Mohammed also instructed them to enroll in English language classes before they began flight training.

34. Hazmi and Mihdhar unsuccessfully tried to enroll in language school in California, which concerned Sheikh Mohammed. Regarding their inability to complete flight training, Sheikh Mohammed explained that, while he was surprised by this, it had no real negative effect on his operational planning. He explained that the planning for the 9/11 operation was undertaken in steps, and that the entire plan was not set from the beginning. He stated, therefore, that he simply made minor adjustments to the plan from that time on. For example, Sheikh Mohammed explained those subsequently chosen as pilots, such as Atta, Ziad Jarrah, and Marwan al-Shehhi, had scientific and engineering backgrounds, and were, therefore, better suited for enrollment in flight school. Sheikh Mohammed added that Hani Hanjour came to Afghanistan already having a background in flight training and that, as a result, Bin Laden sent him directly to Sheikh Mohammed for inclusion in the 9/11 project. Sheikh Mohammed stated that the early mishap with Hazmi and Mihdhar was a mistake in judgment on his part, based on his assumption that anyone could learn to fly with the proper training. Sheikh Mohammed decided that Hazmi would be paired with Hanjour, and based

his decision on the fact that they were both from the Makkah, Saudi Arabia area, and could, therefore, be relied upon to work well together.

35. According to Sheikh Mohammed, Khalid Al-Mihdhar, without discussion with Sheikh Mohammed, decided to travel to Yemen to visit his family upon expiration of his U.S. visa in June 2000. Mihdhar was bored in the U.S., having been relatively unsuccessful in fulfilling his mission and, since he had not overstayed his visa, was confident that he would be able to obtain another visa.
36. Mihdhar stayed in Yemen with his family for approximately one month and then traveled to Afghanistan to meet with Sheikh Mohammed. Sheikh Mohammed immediately expressed his displeasure with Mihdhar having left the U.S. without permission and that he had left Hazmi alone in the U.S. Sheikh Mohammed said he told Mihdhar that he would not likely return to the U.S. but Bin Laden interceded into the disagreement and instructed Sheikh Mohammed to allow Mihdhar to return to the U.S. to continue his work.
37. Mihdhar also gave a general report to Sheikh Mohammed, telling him of their problems with enrolling in language schools and that they believed they were surveilled from Thailand to the U.S. Sheikh Mohammed began

having doubts about whether the two would be able to fulfill their mission in the U.S.

38. Sheikh Mohammed acknowledged that he did instruct Bin Attash [(a.k.a. "Khallad")] to contact al-Mihdhar in Yemen to summon him back to Afghanistan following al-Mihdhar's June 2000 unauthorized departure from the U.S. Al-Mihdhar had returned to Yemen to visit his wife. Sheikh Mohammed was upset at al-Mihdhar for leaving the U.S. and was prepared to exclude al-Mihdhar from the 9/11 operation; however, Bin Laden subsequently decided to reinstate al-Mihdhar.

#### **The Pilots and the Muscle Hijackers**

39. Sheikh Mohammed said that details of the 9/11 operation were kept strictly compartmented, with knowledge of specific targets, timing, operatives, and methods of attack limited to Sheikh Mohammed, Bin Laden, Muhammad Atif, and a few senior hijackers. Many senior and low-level figures were aware that Sheikh Mohammed was preparing operatives for travel to the U.S., leading some to conclude that al Qaeda was planning a near-term attack on U.S. territory, but none were aware of the precise targets or method of attack. Sayf al-Adl was particularly interested in the hijackers'

training and travel and was the one most likely to have picked up details of the plot, but he had not been briefed on the operation before hand.

40. Other operatives tended to over-scrutinize Sheikh Mohammed's activities for potential clues to the attack's timing.

41. At some point during Atta's training, Bin Laden decided that Atta would be the "emir" of the hijackers in the U.S., with al-Hazmi serving as Atta's deputy. Bin Laden and Abu Hafs had originally considered [Ramzi Bin al-Shibh] as the "emir," because he had been the leader of the "German Cell" when it arrived in Afghanistan, and also because Bin al-Shibh seemed to have leadership talent and had ties to unknown Islamic brotherhood organizations in the Middle East and/or Europe. Sheikh Mohammed claimed that he played no role in Atta's selection as "emir." Sheikh Mohammed recalled that Atta was a good operative. Atta had extensive exposure to the West, worked hard, and learned quickly. Atta, Bin al-Shibh, and other associates from Germany – Marwan al-Shehhi and Ziad Jarrah – after arriving in Afghanistan had expressed a desire to fight the Northern Alliance in Afghanistan, but Bin Laden insisted that they instead proceed as soon as possible to the U.S. Atta first came to Afghanistan in late 1999 and had not been to Afghanistan before that time.

42. Sheikh Mohammed met Hani Hanjour for the first time in September or October 2000, before the U.S.S. Cole bombing. Hanjour had just arrived in Afghanistan and had been at the al-Faruq camp for two weeks when he was urgently directed to report to Sheikh Mohammed. Sheikh Mohammed was in Karachi at that time and Hanjour presented a letter from Abu Hafs indicating that Hanjour was a trained pilot and should be sent to the U.S. along with the other 9/11 operatives. Sheikh Mohammed gave 2-3 days worth of training to Hanjour, including how to encode communications and apply for a visa. Hanjour was relatively easy to instruct because he already had pilot training and had already lived in the U.S. According to Sheikh Mohammed, Hanjour was one of the best-prepared operatives sent by Sheikh Mohammed to the U.S. Before Hanjour left Karachi, Sheikh Mohammed told him that he (Sheikh Mohammed) wanted Hanjour to pilot the plane that would strike the Pentagon. Sheikh Mohammed wanted the hijackers to strike the Pentagon and, given that the Pentagon would be a tough target because it is not a tall building, Sheikh Mohammed figured that Hanjour would be the best qualified of the pilots. Sheikh Mohammed sent Hanjour first to Saudi Arabia to obtain a new passport with a U.S. visa, and



directed him to then travel to the UAE to meet al-Hawsawi. Al-Hawsawi provided him with funds to travel to the U.S.

43. Sheikh Mohammed identified the 34 individuals who were participants in the 9/11 hijackings, in addition to himself. Sheikh Mohammed broke down the names into six groups, organized by the degree of their knowledge of the details of the operation.
44. The first group [was] fully aware of the operation's details and comprised five individuals: Bin Laden, Muhammed Atif, Sheikh Mohammed, Bin al-Shibh, and Abu Turab al-Urduni. Bin Laden, Atif, and Sheikh Mohammed were the principle decision-makers of the operation. Bin al-Shibh had full knowledge because he was a would-be hijacker early in the plot and then served as a communications link between Atta and Sheikh Mohammed. Abu Turab al-Urduni, a Jordanian with long experience in al-Qaeda, had full knowledge because of his job as trainer of ten of the "muscle" hijackers at the al-Matar complex during late 2000 – early 2001. Abu Turab trained them in conducting hijackings, disarming air marshals, explosives, body-building, and basic English words and phrases. At al-Faruq camp, abu Turab also had each hijacker butcher a sheep and camel with a Swiss knife to prepare them for using their knives during the hijackings. Abu Turab, in

consultation with Sheikh Mohammed, instructed the muscle hijackers to focus on seizing the cockpit first and then worry about seizing control over the rest of the plane. The hijackers were told to storm the cockpit at the moment that the pilot cabin door opened, and to avoid trying to break down the door if necessary. Abu Turab also trained the hijackers in truck bombing, blowing up buildings, and hijacking trains to muddy somewhat the real purpose of their training in case they were caught while in transit to the U.S.

45. The next group comprised those 9/11 hijackers who knew the details of the plot from the point of their recruitment by Bin Laden and Atif. These six hijackers were: Atta, Marwan al-Shehhi, Hani Hanjour, Ziad Jarrah, Nawaf al-Hazmi, and Khalid al-Mihdhar. This group includes the four hijacker pilots and al-Hazmi and al-Mihdhar who were "muscle" hijackers.
46. The third group, numbering 13, comprised the rest of the hijackers, all of whom were "muscle" hijackers. They did not learn the full details of the operation, including the fact that the planes that they hijacked [would] be flown into buildings, until they reached the U.S. in the Spring and early Summer of 2001.

47. The fourth group, numbering four, consisted of operatives who handled logistical, financial, and some training aspects of the operation. They knew they were involved in the al Qaeda operation against the U.S. but that was the extent of their knowledge. Mustafa Ahmed al-Hawsawi [al-Hawsawi] and Ammar al-Baluchi [Ammar] served as key travel and financial facilitators for the hijackers. According to Sheikh Mohammed, al-Baluchi may have guessed that the operation involved planes, because Sheikh Mohammed at one point in 2000 requested that al-Baluchi send him a CD-ROM and Videos on Boeing Commercial jets. Abd al-Rahim Ghulam Rabbani, aka abu Rahmah, helped several of the hijackers transit Pakistan on their way to Afghanistan and back again.
48. The fifth group, consisting of seven individuals, were candidate muscle hijackers. They, along with Bin al-Shibh, were the eight would-be hijackers who never made it to the U.S. They knew that they were involved in a martyrdom operation and that it involved traveling to the U.S., but they never learned the real purpose of the operation until after the 9/11 attacks.
49. Sheikh Mohammed claimed that he wanted to get as many muscle hijackers as possible to the U.S. to enhance the odds for a successful hijacking, even if there were as many as six or seven hijackers or more per flight. There

were four muscle hijackers for three planes and three muscle hijackers for the fourth plane because that was the maximum number of operatives that Sheikh Mohammed was able to find and send to the U.S. before 9/11.

### The 9/11 Operation Decisionmakers

50. Sheikh Mohammed said that all decisions on the targets originated with Bin Laden and Abu Hafs al Masri, aka Muhammad Atif. Sheikh Mohammed believed the initial decision to stage a 9/11 attack was made in the spring of 1999. The idea of using planes as missiles originated with himself and Ramzi Youssef who discussed the idea during planning for the Bojinka operation, but Sheikh Mohammed said the concept never moved beyond the idea stage while they were working on Bojinka.
51. Sheikh Mohammed said he learned of the decision to move forward with the plan to use planes as missiles to attack the U.S. when Bin Laden appointed him as head of operations and training for the operation in spring 1999. At that point, Sheikh Mohammed worked with Bin Laden and Abu Hafs to develop the initial target ideas. No other al Qaeda members were really involved in the decision to use planes to attack the U.S. or in the initial selection of targets. All other members learned of the plan in varying levels of detail when they became personally involved in the plo[t]. Each of the

pilots was informed of the details of the planned attack when they agreed to participate. Nawaf al-Hazmi and Khalid al-Mihdhar, who were the first members chosen to participate in the operation, learned the planned method of attack in October or November 1999 when Bin Laden told them to travel to the U.S. and study to become pilots. The Hamburg cell, Atta, al-Shehhi, Jarrah, and Bin al-Shibh, learned the details of the method of attack and the planned targets when they were chosen to be pilots in late 1999 or early 2000. Similarly, Hani Hanjour was informed of all these details when he was chosen as a pilot.

52. Sheikh Mohammed stated that none of the chosen muscle hijackers was directly informed of the method of attack or the targets.
53. The final decisions to hit which target with which plane was entirely in the hands of the pilots. Atta informed Bin al-Shibh in July 2001 when they met in Spain of the intended targets, after which Bin al-Shibh informed Sheikh Mohammed. The final pilot selection of targets was made by Atta, Shehhi, Hanjour, Jarrah, and Hazmi.
54. Sheikh Mohammed said it was also through Binalshibh that Sheikh Mohammed learned that Atta had all selections and assignments finalized in late August 2001. The muscle hijackers were not informed of the targets or

complete operational plan until Atta had everything finalized in August 2001. Sheikh Mohammed received this information through Bin al-Shibh.

55. In the 9/11 attacks . . . five of the operatives – Atta, Jarrah, al-Shehhi, Hanjour and Nawaf al-Hazmi – conducted the needed surveillance and preparation, such as purchasing and coordinating tickets. The other 14 operatives were kept separate from that and were only involved in the operation as late as possible in the process.
56. Sheikh Mohammed stated that he was usually compelled to do whatever Bin Laden wanted with respect to operatives for the September 11 operation. That said, Sheikh Mohammed noted that he disobeyed Bin Laden on several occasions by taking operatives assigned to him by Bin Laden and using them how he best saw fit.

**Ramzi Bin al-Shibh and Mustafa Ahmed al-Hawsawi**

57. Ramzi Bin al-Shibh . . . was a member of the German cell that included 9/11 pilot/hijackers Atta, Marwan al-Shehhi, and Ziad Jarrah. Bin al-Shibh was supposed to travel to the U.S. to become a pilot, but was unable to obtain a U.S. visa, despite three attempts.
58. Bin al-Shibh was the primary communications link with the 9/11 operatives.

59. Sheikh Mohammed placed individuals like Bin al-Shibh and al-Hawsawi into the category of communication and finance, and commented that these individuals were largely responsible for facilitating communication and for financing operatives selected for an attack.
60. Sheikh Mohammed stated that Mustafa Ahmed al-Hawsawi was his point of contact in the UAE while Sheikh Mohammed was planning the 9/11 attacks.
61. All of Sheikh Mohammed's knowledge about the pilots came through Bin al-Shibh or al-Hawsawi who were the main contacts for the operatives while they were in the U.S.. Sheikh Mohammed had no specific knowledge of where Atta, al-Shehhi, and Jarrah went for their pilot training. The only location discussed before the pilots' journey to the U.S. was Florida, when, as a group, Sheikh Mohammed and the pilots looked at information on schools there. But Sheikh Mohammed said their discussion was minimal and the pilots were to conduct thorough research once they returned to Germany.

**Notification of the Date for the 9/11 Attacks**

62. Sheikh Mohammed stated that he learned of the impending date of the hijackings via courier, as opposed to telephone or e-mail. Zakariya Essabar, an associate of Bin al-Shibh in Germany, arrived in Afghanistan in late

August 2001 and provided Sheikh Mohammed with a letter from Bin al-Shibh informing him of the date.

63. After the final details of the plot solidified in late August, Bin Laden notified the al Qaeda Shura council that a major attack against unspecified U.S. interests was scheduled to take place over the coming weeks, but he did not reveal additional details.
64. During the summer, Bin Laden made several remarks vaguely hinting at an upcoming attack, which generated rumors throughout the worldwide jihadist community. Bin Laden informed high-level visitors to expect a major near-term attack against U.S. interests, and, during a speech at the al-Faruq camp, he urged trainees to pray for the success of a major operation involving 20 martyrs. Sheikh Mohammed and Abu Hafs were concerned about this lack of discretion and urged Bin Laden not to make additional comments about the plot.
65. On three instances, Sheikh Mohammed withstood pressure from Bin Laden to launch the operation earlier than planned. The first time was in the spring of 2000, shortly after Atta and the other pilot/hijackers had arrived in the U.S. . . . Bin Laden also pressured Sheikh Mohammed twice during the Spring of 2001 to launch the attacks early. Bin Laden wanted to attack on



May 12, 2001, exactly seven months after the bombing of the U.S.S. Cole in Yemen. The second time was in either June or July 2001 because Bin Laden had learned from media reports that [Ariel] Sharon [(the Israeli Prime Minister)] would be visiting the White House. On both occasions, Sheikh Mohammed was able to withstand Bin Laden's pressure by asserting that his hijacking team was not ready yet.

### **The Hijackers Travel Through Dubai, UAE**

66. The hijackers traveled to the U.S. via Dubai, where they met with Mustafa Ahmed al-Hawsawi ("al-Hawsawi") and received final instructions on security and were informed that they had been selected to participate in a suicide hijacking operation of U.S. aircraft. The distribution of the hijacking teams was decided by Atta who communicated that information to al-Hawsawi. Al-Hawsawi coordinated the arrival in the U.S. of the various team members. Upon their arrival in the U.S., the hijackers were contacted by the pilot of their respective flight and given instructions.

### **Al-Qaeda Operatives Who Were Unsuccessful in Joining the 9/11 Operation**

67. Sheikh Mohammed identified additional individuals who were intended to participate in the 9/11 attacks but, for various reasons, were unsuccessful in gaining entry into the U.S. As a result, the 9/11 operation was left with only

19 operatives. Regardless of the shortcomings, the determination was made to proceed as planned, since an adequate number of hijackers had been successful.

68. One of these additional individuals was Abd Al-Rahman Al-Janubi (Muhammad Mani' Ahmad Sha'lan Al-Qahtani): Sheikh Mohammed said this was another operative who came into the operation very late, commenting that Al-Qahtani is an extremely simple man. Zubayr Al-Ha'ili had originally told Sheikh Mohammed that Al-Qahtani was suitable for a martyrdom operation, and Zubayr went directly to Bin Laden about Al-Qahtani. Bin Laden, acting on Zubayr's recommendation, presented Al-Qahtani to Sheikh Mohammed as a candidate for the 9/11 operation. Sheikh Mohammed sent Al-Qahtani to al-Hawsawi in Dubai, where al-Hawsawi was to make specific arrangements for sending Al-Qahtani to the U.S. in coordination with the hijackers already in place. Sheikh Mohammed denied that others had traveled with Al-Qahtani to the U.S., explaining that Al-Qahtani was sent alone to round out the number of hijackers for the 9/11 attacks. Following his deportation, Al-Qahtani returned to Pakistan and eventually met up with Sheikh Mohammed in Qandahar.

69. Al-Qahtani was selected by Bin Laden or Abu Hafs Al-Masri for the 9/11 operation, but he possessed no operational or basic knowledge that would qualify him for such an operation. When Sheikh Mohammed tasked Al-Qahtani to obtain a U.S., Swiss, French, Italian, or Australian visa, Sheikh Mohammed needed to explain the existence of visa regimes to Al-Qahtani. Al-Qahtani also had difficulties with codes. When Al-Qahtani attempted to enter the U.S. to participate in the 9/11 operation and failed to pass through U.S. Customs and Immigration, which resulted in his deportation from Orlando, Fla., Sheikh Mohammed decided that he had no further use or patience with Al-Qahtani.
70. Sheikh Mohammed said that al-Hawsawi provided money to Al-Qahtani in Dubai, UAE, for his travel to the U.S. Al-Qahtani did not know the specifics of the operation, but did understand it to be a suicide operation. Al-Qahtani was first aware that the operation would take place in the U.S. in the summer of 2001 when he met with Sheikh Mohammed in Karachi, Pakistan. Sheikh Mohammed said that Al-Qahtani was to be met at the Orlando airport, but did not know by whom. Al-Qahtani did not have contacts in the U.S..

71. Al-Qahtani . . . made it as far as the U.S., only to be turned around at the airport and deported because he seemed too suspicious. According to Sheikh Mohammed, like al-Baluchi, Al-Qahtani was too much of an unsophisticated "bedouin" to function with ease in a modern, Western society. Most of the other hijackers grew up in urban environments. The al-Shehhi brothers, for example, had grown up in a well-off family in the city and were well-traveled. Sheikh Mohammed's misgivings about Al-Qahtani notwithstanding, he blamed Al-Qahtani's failure on facilitator al-Hawsawi because al-Hawsawi gave Al-Qahtani only a one-way ticket and provided him with only limited information about his points of contacts in the U.S., which in Sheikh Mohammed's view were the causes for Al-Qahtani's deportation. According to Sheikh Mohammed, there was no reason for Al-Qahtani's late arrival in the U.S. aside from the fact that Sheikh Mohammed wanted as many hijackers in the U.S. as possible.
72. Sheikh Mohammed stated that . . . Al-Qahtani was a late addition to the operation, and, therefore, Al-Qahtani was not trained very well in dealing with Customs officials or the English language. Sheikh Mohammed noted that due to the success of all the other operatives making it into the U.S., it seemed that they had overestimated the security of U.S. Customs officials,

and as such, they did not feel they needed to train Al-Qahtani as much.

Sheikh Mohammed added that Al-Qahtani was going to arrive during tourist season, which Sheikh Mohammed thought would also facilitate his entry into the U.S.

#### **Money Sent to 9/11 Hijackers**

73. Sheikh Mohammed explained that al-Shehhi was sent \$81,000 (U.S.) via al-Baluchi for al-Shehhi's, Atta's and Jarrah's flight training. . . . Most of these types of transfers were made by al-Hawsawi who was located in the UAE.

#### **Hijacker Instructions Not To Speak with Muslims**

74. Sheikh Mohammed said that he explicitly told Mohammad Atta and the other pilots and muscle operatives not to speak with any Muslims once in the United States. The only exception to this rule was concerning Khalid al-Mihdhar and Nawaf al-Hazmi, whom he instructed to contact an Islamic Center or Mosque to help them get settled in the country since they did not speak English.

Contacts Among 9/11 Hijackers

75. Sheikh Mohammed said that the operatives were supposed to avoid talking to each other in the U.S., but did not know if they followed those instructions. Sheikh Mohammed added that closer to the execution of the operation, the operatives had to contact each other in order to organize their final details. Sheikh Mohammed stated that for operational security, he only had Bin al-Shibh, Bin Attash [(a.k.a. "Khallad")], al-Baluchi, and Mustafa al-Hawsawi contact the 9/11 operatives in the U.S. Sheikh Mohammed said he last had contact with Moussaoui via email, but could not remember the specific time frame.

The Second Wave of Attacks After September 11, 2001

76. While discussing the "tallest building in California plot," Sheikh Mohammed referred to the mission of Moussaoui and Faruq al-Tunisi as the "second wave." The phrase "second wave" did not originate with Sheikh Mohammed and has meant different things over the course of Sheikh Mohammed's debriefings. At one time "second wave" referred to any plans for attacks in the United States slated to follow 9/11, whether a sequel of aerial attacks or something entirely different, like subway strikes, poisoning o[f] reservoirs, demolition of bridges, etc. To clarify, Sheikh Mohammed

was told [by his interrogators] that if he chose to continue using the phrase “second wave” in this discussion, he had to be absolutely clear about its meaning. Sheikh Mohammed took the point and explained his intended meaning. Sheikh Mohammed indicated that “second wave” refers to efforts begun in parallel with the 9/11 plot to identify and train pilots and muscle for additional 9/11-style strikes in the United States.

77. From the beginning, a key distinction from the core 9/11 plot was that the “second wave” pilots would be non-Arab passport holders and that their eventual targets would be in California or elsewhere in the western United States (perhaps non-eastern targets would be more accurate, as Sheikh Mohammed has lumped Chicago into his general exposition on potential western targets).
78. Progress in identifying/training non-Arab passport holding pilots lagged far behind the development of the 9/11 plot, on which Sheikh Mohammed focused his attention, making it abundantly clear that attacks by the likes of Moussaoui and Faruq al-Tunisi would have to come after the eventual 9/11 strikes. “Second wave” was thus an apt label, given what had been the expected sequence of events.

79. Sheikh Mohammed stated that Moussaoui had been recruited to participate in a "second wave" of attacks that was originally planned to follow the September 11, 2001 attacks. This second wave of attacks was intended to utilize operatives with European and East Asian backgrounds whom Sheikh Mohammed believed would operate more easily in what he expected to be a more stringent security environment following the 9/11 attacks, especially as it related to Middle Easterners. Sheikh Mohammed used only Middle Easterners in the first wave for this reason and that Moussaoui was chosen for the second wave because of his French citizenship. Sheikh Mohammed stated that the second wave was not completely planned or ready for execution, but was on the "back burner." Sheikh Mohammed had no idea that the damage of the first attack would be as catastrophic as it was, and he did not plan on the U.S. responding to the attacks as fiercely as they did, which led to the next phase being postponed.
80. Sheikh Mohammed immediately said that Moussaoui was never slated to be a 9/11 operative, reiterating previous comments that he had anticipated a need for non-Arab passport holders to conduct the second wave of airplane operations after 9/11. Despite Moussaoui's admittedly problematic personality, Sheikh Mohammed tasked Moussaoui to take flight lessons in



preparation for the second wave attacks. Sheikh Mohammed reiterated earlier claims that the second wave was only in its most preliminary stages, noting that Moussaoui was one of the few potential pilots identified for the operation, along with Mussa and Abu Faruq al-Tunisi. Sheikh Mohammed also reiterated that he had not identified any targets for the second wave operation.

81. Sheikh Mohammed repeatedly stated that Zacarias Moussaoui was intended to be part of a second wave. Sheikh Mohammed said that he was always working on more than one operation at a time. According to Sheikh Mohammed, he did calculate for some residual effects from September 11. He knew that he would no longer be able to use operatives from the Middle East, but he never counted on the real impact of the September 11 attacks. Sheikh Mohammed was not concerned by the loss of second wave operatives, and thought that he could hold Moussaoui in reserve and always find more pilots at a later time. Sheikh Mohammed stated that this type of long term, multiple operational thinking failed to anticipate the post-September 11 world.

82. Although no specific targets had been identified, among those considered were the Sears Tower, the White House and the foreign embassy in Washington.
83. Sheikh Mohammed said he asked Hambali to find a Malaysian or Indonesian pilot to participate in a second wave of attacks inside the U.S. along with Moussaoui and [faruq al-Tunisi]. Sheikh Mohammed, Abu Hafs, and Bin Laden agreed that finding non-Arab passport holders was a priority because it would be difficult for Middle Eastern passport holders to operate in the U.S. after 9/11. Al Qaeda wanted the second wave operatives to carry French, Canadian, Malaysian, or Indonesian passports instead of Middle Eastern passports. Hambali never provided such a candidate.
84. While the 9/11 operation evolved into an East Coast attack, Bin Laden himself advised that a second wave attack should focus on the West, believing that security might be more lax there. It was for this initiative that Hambali had provided an initial installment of \$20,000 (U.S.) in late 1999 or early 2000 to recruit pilots for future operations, although Hambali was not told what these pilots would be targeting.
85. Sheikh Mohammed reiterated that Atta had some latitude in selecting the 9/11 targets. He said a comparable leader of the second wave attack may

have been given similar authority, but in the end, only two pilot candidates were found. One, Faruq Al-Tunisi, contacted Sheikh Mohammed from Canada during the summer of 2001 to back out. The other, Zacarias Moussaoui, was a problem from the start. Hambali and his people complained about Moussaoui's behavior while in Malaysia, where he constantly needled them about launching operations in their own area. Sheikh Mohammed said Moussaoui lobbied Muhammad Atif, aka Abu Hafs Al-Masri, and Bin Laden to use him in operations, and their pressure compelled Sheikh Mohammed to include him in the second wave plan.

86. Sheikh Mohammed revealed that there was a third candidate beyond Zacarias Moussaoui and Faruq al-Tunisi tapped for the "second wave" attacks.
87. Sheikh Mohammed explained the status of the second wave operation in the weeks leading up to the 9/11 attacks. Al Qaeda had one pilot in training, Moussaoui, who had already been arrested, unbeknownst to Sheikh Mohammed until learning it through the media later in September. Before his arrest, Moussaoui only knew that he would be flying a plane, and had no idea of his target. This was because al Qaeda was not at the stage of selecting targets, as they needed to identify and train additional pilots, select

and transport the supporting operatives into the U.S. and allow them to train and do any necessary surveillance. Sheikh Mohammed also said that he was consumed with the responsibilities of managing the 9/11 operation, and thus was unable to direct much attention to the second wave plot.

88. The earlier plan for a second wave attack ended with Moussaoui's arrest because without candidate pilots or operatives, he had to start over from scratch.
89. Sheikh Mohammed was impressed by the security measures implemented in the U.S. in the immediate aftermath of the attacks. Based on the U.S. reaction to the attacks and future plots to the U.S., Sheikh Mohammed assessed at least for the short term that the prospects for a second round of hijacking attacks in the U.S. were dismal. Sheikh Mohammed began to think about the need to get Moussaoui out of the U.S. before he was caught. It quickly became clear that Moussaoui was lost to al Qaeda when the news arrived on 9/12/01 that Moussaoui had been arrested in late August 2001.

**Zacarias Moussaoui's Training to Become a Pilot**

90. Sheikh Mohammed said that in late 1999 he sent Moussaoui to Malaysia to get flight training. A member of the Hambali group would assist

Moussaoui. Sheikh Mohammed learned that Moussaoui became acquainted with [Yazid] Sufaat.

91. While Moussaoui was in Malaysia, he caused many problems for the Hambali group, and Mukhlas [a.k.a. Ali Ghu[fron], a high ranking member of JI] traveled personally to Pakistan to request that Sheikh Mohammed transfer Moussaoui out of Malaysia. According to Mukhlas, instead of pursuing flight training, Moussaoui was trying to buy four tons of fertilizer through the Hambali network. Hambali was upset with Moussaoui's activities because Moussaoui had agreed not to work in Malaysia.
92. Sheikh Mohammed recalled Moussaoui to Pakistan, where Moussaoui complained that training was difficult in Malaysia because of the constant rain. Sheikh Mohammed, who believed that Moussaoui was not a suitable operative despite his European credentials, approached Muhammad Atif and Bin Laden and asked that Moussaoui be removed from the program, which was intended as a follow-up aircraft attack upon the completion of the program led by Atta. Despite Sheikh Mohammed's suggestion, Atif and Bin Laden insisted that Moussaoui remain in the program and instructed that the program should continue as planned.

93. Sheikh Mohammed said that he had tasked Moussaoui to travel to America to obtain flight training, but did not tell him why he was to obtain the training. Moussaoui had previously been sent to Malaysia to obtain the flight training, but failed to get the training there. Sheikh Mohammed stated that operations were kept strictly compartmentalized, and Moussaoui was not aware of any other operatives that were in the U.S. at the same time as him. Because Moussaoui was not involved in the first attack, Sheikh Mohammed did not tell him about any of the operational details or the individuals involved. . . . Sheikh Mohammed denied that Moussaoui would have been used for the first operation, because that operation was designed for Middle Eastern operatives. Sheikh Mohammed stated that Moussaoui would never have been a replacement for any of the September 11 operatives, even if one had pulled out of the operation.
94. Before sending Moussaoui to the U.S., Sheikh Mohammed instructed Moussaoui about the need for strict operational security, telling him that under no circumstances should Moussaoui mention aircraft in any communications with each other. Shortly after Moussaoui reached the U.S., however, Sheikh Mohammed received an email from Moussaoui in which he detailed his attempts to get flight training on various aircraft.

Exasperated, Sheikh Mohammed instructed Bin al-Shibh to send Moussaoui money from Germany. Sheikh Mohammed turned Moussaoui over to Bin al-Shibh because Sheikh Mohammed felt it was safer to send Moussaoui money from Germany and Sheikh Mohammed did not want to deal with Moussaoui any longer.

95. Sheikh Mohammed reiterated that he instructed Bin al-Shibh to break off contact with Moussaoui after the money transfer because Moussaoui was problematic and Sheikh Mohammed thought it was a better move to cut ties with him while he was taking his flight training.
96. Sheikh Mohammed recalled learning from the news that Sufaat's home address was found with Moussaoui, resulting in Sufaat being a wanted man and raising scrutiny of travelers from Malaysia direct from Pakistan.
97. Sheikh Mohammed knew that Moussaoui planned to attend flight training in the U.S. but was unaware if he actually managed to attend any training.
98. Sheikh Mohammed said he last had contact with Moussaoui via e-mail, but could not remember the specific time frame. Sheikh Mohammed stated that he did not pass a warning to Moussaoui prior to the attacks of September 11, 2001, because Moussaoui had not been tasked with an operation and was merely obtaining flight training. Sheikh Mohammed said

that because he did not expect the 9/11 attacks to be as large as they were, he also did not plan for the level of scrutiny that the U.S. Government would place on foreign born citizens, like Moussaoui who underwent flight training in the U.S. Sheikh Mohammed also said he did not know that Moussaoui left Oklahoma for Minnesota in August 2001.

99. Sheikh Mohammed related one instance when he considered an operative had failed to perform. This occurred when he instructed Zacarias Moussaoui to travel to Malaysia in 1999 and enroll in flight school. Moussaoui disobeyed orders and created problems by becoming involved with Hambali's group doing things such as obtaining explosives for the group. After this, Sheikh Mohammed concluded that Moussaoui was not qualified to be an operative. Moussaoui was punished by being enrolled in a school in Qandahar, Afghanistan, after which al Qaeda leadership considered him reformed; however, Sheikh Mohammed was not convinced.

**Zacarias Moussaoui's Abilities as an Al-Qaeda Operative**

100. Sheikh Mohammed said that Moussaoui did not have any particular personality flaws, but noted that Moussaoui had a different state of mind from other operatives because he had been raised in the west. Sheikh Mohammed explained that Moussaoui had a high level of self-confidence,



and because of this he had a hard time taking instructions from other brothers that were from non-Western countries, particularly on matters of operational security. Sheikh Mohammed stated that Westerners have a different point of view because of their freedom. Sheikh Mohammed said he believed that Moussaoui's confidence caused him to practice lax operational security, adding that if an operative was too confident, he would not be careful in his emails, phone calls, or discussions with friends. Sheikh Mohammed stated that his low regard for security was Moussaoui's main flaw.

101. Sheikh Mohammed noted several examples of Moussaoui's failure to follow instructions and poor operational security practices. Sheikh Mohammed cited one example of Moussaoui's failure to obtain flight training during his time in Malaysia, explaining that it had lowered his faith in Moussaoui's ability as an operative. Sheikh Mohammed also said that Moussaoui's self-confidence led him to talk too much. Sheikh Mohammed explained that any talking, whether to other operatives or about operations, was too much. Sheikh Mohammed said he believed that discussions about operations should be held only when necessary. Sheikh Mohammed pointed

to Moussaoui's e-mails discussing aircraft and training as examples of both talking too much and poor security practices.

102. Sheikh Mohammed stated that Moussaoui's eight phone calls to Bin al-Shibh during Moussaoui's operational training in the United States were too many, and this was another example of poor operational security. Sheikh Mohammed said Bin al-Shibh was chosen to wire money to Moussaoui simply because there were no other choices, adding that he felt that money coming from Pakistan or Dubai would be viewed as too suspicious. Sheikh Mohammed said he instructed Bin al-Shibh to drop contact with Moussaoui following the final money transfer because he was afraid Moussaoui would somehow lead to Bin al-Shibh's capture, which in turn would cause problems for the first wave of attacks. Sheikh Mohammed said he did not have anyone attempt to contact Moussaoui after Bin al-Shibh broke off contact in August 2001.

103. When questioned on Moussaoui's possession of Yazid Sufaat's address when Moussaoui was arrested in September 2001, Sheikh Mohammed assumed that Moussaoui had used Sufaat's name and address to create a cover story. Sheikh Mohammed said that for security purposes, he should not have used the true name and address of a brother in order to create a

cover story. Sheikh Mohammed said that good operational security would have dictated that an operative not try to call attention to himself in the U.S. Sheikh Mohammed said that there is no benefit to having someone arrested by U.S. authorities, and he would not intentionally have an operative arrested as part of an operation. Sheikh Mohammed stated that he gave special training on life in the U.S. to some of the 9/11 operatives who did not have knowledge of the West so that they could function there without drawing undue attention. Sheikh Mohammed went on to say that it was poor operational security to pay for flight lessons with a large amount of cash, adding that it should be done with a credit card or checks. Sheikh Mohammed also stated he would have had an operative open a bank account with small deposits, rather than one large deposit. Sheikh Mohammed said he did not know what Moussaoui did while in the U.S. but hoped that he would have followed instructions to maintain a low profile.

104. Sheikh Mohammed was . . . told about Moussaoui's purchase of knives, his request for information on GPS units, and his statement to a JI member that he was going to fly a plane into the White House. Sheikh Mohammed explained that Moussaoui was preparing for a second wave attack which

entailed the same steps as the 9/11 hijackers: getting flight lessons, purchasing knives, etc.

**Other Al-Qaeda Operatives**

105. Sheikh Mohammed reported that he provided personalized training to approximately 39 al Qaeda operatives for deployment on operational missions. Bin al-Shibh was one of the 39 operatives trained by Sheikh Mohammed.
106. Sheikh Mohammed stated that Yazid (Sufaat) aka Malik, a Malaysian scientist and a member of the Jemah Islamiyya, was the leading operative involving the chemical-biological (CB) program. Yazid owned a company that provided cover for his laboratory that was dedicated to CB research for al Qaeda.
107. Among the other personnel involved in the 9/11 attack, Sheikh Mohammed stated that Saif al-Adl [a high-ranking member of al-Qaeda's military committee] was not informed of the details until April 2001 but knew the identity of the pilots who had been chosen when the Hamburg cell was picked in early 2000. Walid Muhammad Salih Bin Attash, aka Khallad, knew of the involvement of airplanes in late summer 1999 when he was tasked to survey American airline carriers in southeast Asia. Khallad also

knew the operation involved the U.S. from his interaction with Hazmi and Mihdhar, but Khallad did not know the final step of using the planes as missiles.

108. French passports and visas were desirable among mujahideen because the passports were from a Western country and gave a mujahid credibility when he traveled.

#### **Sharing of Information**

109. Sheikh Mohammed said that operationally it was not smart to share with others your tactics or intended targets: When four people know the details of an operation, it is dangerous; when two people know, it is good; when just one person knows, it is better. Sheikh Mohammed gave as an example, the obvious operational benefit of Moussaoui[']s] ignorance concerning the ultimate target of, or others potentially involved in, his mission.

#### **Swearing Bayat to UBL**

110. Sheikh Mohammed commented on the importance of the oath of allegiance (Bayat) in al Qaeda. According to Sheikh Mohammed, bayat was patterned after the oath of allegiance that Muslim tribal leaders owed to the prophet Muhammad and the early Islamic caliphs. Al Qaeda was the first jihadist group to use this concept as mechanism for maintaining organizational

command and control, and its members began formally swearing bayat to Bin Laden when al Qaeda was founded in the late 1980s. Over time, the idea spread throughout the jihad movement and is now used by many different groups.

Bayat is a solemn, spiritually binding commitment to obey the commands of a single leader, or emir. However, Sheikh Mohammed noted that the individual making the oath is in effect pledging allegiance to the emir's organization as well, since he implicitly commits himself to obey the emir's lieutenants, follow the rules of the emir's organization, and transfer his allegiance to the emir's successor if the emir dies. Thus, if Bin Laden were killed, all sworn al Qaeda members would automatically owe allegiance to Ayman al-Zawahiri, his designated successor.

Although bayat was an entirely voluntary act, Sheikh Mohammed said al-Faruq camp commander Abu Muhammad al-Masri sometimes used subtle peer pressure to persuade trainees to swear allegiance to Bin Laden, and pressure to take the oath was especially acute at more senior levels of the organization. For example, Sheikh Mohammed said he attempted to postpone swearing bayat as long as possible to ensure that he remained free to plan operations however he chose, but he eventually took the oath after

the 9/11 attacks, when he was told that the refusal of such a senior and accomplished al Qaeda leader to swear bayat set a bad example for the group's rank and file. Once an individual swore the oath, however, there were no institutional penalties for disobedience, as such matters were considered to be between the individual and God.

Sheikh Mohammed said that there is no ceremony associated with swearing bayat to al Qaeda. The individual simply met with Bin Laden, spoke the oath, and shook Bin Laden's hand. If Bin Laden was not available, one of his lieutenants also could administer the oath; however, this was a rare occurrence and Abu Hafs was the only person he knew who had administered the oath other than Bin Laden. In such cases, the individual swearing the oath would owe allegiance to Bin Laden, not Abu Hafs.

Sheikh Mohammed gave the following as examples of standard bayat oaths used by al Qaeda: "I swear allegiance to you, to listen and obey, in good times and bad, and to accept the consequences myself; I swear allegiance to you, for jihad and hijrah, and to listen and obey; I swear allegiance to you, to listen and obey, and to die in the cause of God."

Sheikh Mohammed said that bayat is normally a private matter between an individual, his emir, and God, and Sheikh Mohammed knew of no list or registry of individuals who had sworn bayat to Bin Laden.

**Sheikh Mohammed's Written Statement to his Interrogators**

Sheikh Mohammed wrote the following:

111. I know that the materialistic Western mind cannot grasp the idea, and it is difficult for them to believe that the high officials in al Qaeda do not know about operations carried out by its operatives, but this is how it works. We do not submit written reports to our higher ups. I conducted the September 11 operation by submitting only oral reports. I would travel for a day-and-a-half until I reach Bin Ladin, and I inform him what was happening.

Sometimes I scratched down my notes on a small piece of paper about 10cm long. This is unacceptable in operations administered by the West. We sent meaningless letters of few lines. We spoke nonsense on the telephone with the operatives and the go-between people like Ramzi Bin al-Shibh. But in the end the operation was a success. I know that running an operation in the West demands specific administrative work. Yet, you must believe that the same operation could be run successfully with simple primitive means.



112. Shurah counsel at al Qaeda is not a Board of Directors or a war operations room, as you know it. It is an advisory board for Bin Ladin or Abu Hafs al-Masri, unlike what you have in the West. For you, ruling is by the majority of votes. However, if the Shurah council at al Qaeda, the highest authority in the organization, had a majority of 98 percent on a resolution and it is opposed by Bin Ladin, he has the right to cancel the resolution, because it is only consultative to him and not binding.

113. You must study these matters to know the huge difference between the Western mentality in administration and the eastern mentality, specifically at al Qaeda.

114. I will tell you some facts that surprised your interrogators to the extent that some accused me of lying and some others expressed disbelief:

In the September 11 Operation, I sent Zahir al-Hussawi to the Emirates to meet two operatives and send them to the United States of America. He sent them money (without asking me one single question about the nature of the operation). I never told him anything about the nature of the operation. You have him: Go ask him. He remained in the Emirates for more than a month. He did a good job and I told him to return on September 11<sup>th</sup> without knowing the date, or the nature of the operation.

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